

ORIGINAL

**FILED**  
**DISTRICT COURT OF GUAM**

DEC - 7 2007 N

**JEANNE G. QUINATA  
Clerk of Court**

NESBITT M.ref

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Attorney's for United States of America

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF GUAM**

10 UNITED STATES OF AMERICA, ) MAGISTRATE CASE NO. 07-00006  
11 Plaintiff, )  
12 v. ) PETITION TO REFUND  
13 MICHAEL NESBITT, ) OVERPAYMENT OF RESTITUTION  
14 Defendant. )

## PETITION

On June 26, 2007, Defendant MICHAEL NESBITT was sentenced, among other things, to pay a \$10.00 special assessment fee and restitution in the amount of \$50.00 to be paid jointly and severally with Rafel Nesbitt in Magistrate Case No. 07-00007. Defendant MICHAEL NESBITT paid his \$10.00 special assessment fee on August 28, 2007 (court receipt no. 0032708). Plaintiff petitions the Court to refund the overpaid portion of the restitution imposed against the Defendant:

1. The following restitution was imposed against Defendant:

\$50.00 Amount of joint and several restitution  
\$15.00 Amount collected from joint and several debtor (see attachment A)  
\$50.00 Amount collected from defendant (see attachment B)  
\$15.00 Amount overpaid

1           2. Plaintiff respectfully requests that the Court refund the full amount of overpayment by  
2 issuing a check in the amount of \$15.00 to Michael Nesbitt and mailing the check to his address  
3 as provided by our office.

4           3. Plaintiff further requests that any future payments made by defendant be refunded to  
5 him.

6           DATED this 7<sup>th</sup> day of December, 2007.

7  
8           LEONARDO M. RAPADAS  
9           United States Attorney  
10           Districts of Guam and the NMI

11           By:

12             
13           MARIVIC P. DAVID  
14           Assistant U.S. Attorney

# District Court of Guam Fees Report

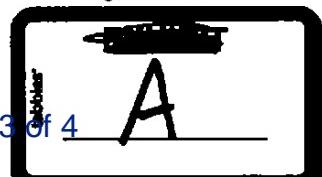
Case: MJ-07-00007

Fee(s): Assessments/Fines; CVB Special Assessment/Fine; Restitution

Date	Receipt	Remitter	Case / Fee	Amount
07/03/2007	0031764	Nesbitt, Rafael	MJ-07-00007: USA v. Nesbitt Party: Nesbitt, Rafael	
			Assessments/Fines	\$ 10.00
			Restitution	\$ 15.00
			Payment Type(s)	
			Cash	\$ 25.00

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# District Court of Guam

## Fees Report

Case: MJ-07-00006

Fee(s): Assessments/Fines; CVB Special Assessment/Fine; Restitution

<u>Date</u>	<u>Receipt</u>	<u>Remitter</u>	<u>Case / Fee</u>	<u>Amount</u>	
08/28/2007	0032697 <b>VOIDED</b>	Nesbitt, Michael Leon	MJ-07-00006: USA v. Nesbitt Party: Nesbitt, Michael Leon Restitution	\$	0.00
			Payment Type(s) Cash	\$	0.00
08/28/2007	0032708	Nesbitt, Michael Leon	MJ-07-00006: USA v. Nesbitt Party: Nesbitt, Michael Leon Assessments/Fines Restitution	\$	10.00 \$ 5.00
			Payment Type(s) Cash	\$	15.00
11/30/2007	0033379	Nesbitt, Michael Leon	MJ-07-00006: USA v. Nesbitt Party: Nesbitt, Michael Leon Restitution	\$	45.00
			Payment Type(s) Cash	\$	45.00

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